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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MOODY TANKSLEY,
Plaintiff,

No. C 09-413 MHP (pr)

ORDER OF DISMISSAL

v.

CDC SALINAS VALLEY
STATE PRISON; et al.,
Defendants.

This pro se civil rights action was transferred to this court on February 3, 2009, at which time the court notified plaintiff in writing that the action was deficient due to the failure to pay the filing fee or furnish a completed and signed court-approved in forma pauperis application – specifically, that he had not included a trust account statement and signed certificate of funds for his prisoner's trust account statement. Plaintiff was advised that failure to pay the fee or file the application materials within thirty days would result in dismissal of the action. Plaintiff did not pay the filing fee or submit the materials needed to complete his in forma pauperis application. The action is DISMISSED without prejudice for failure to pay the filing fee or submit a completed in forma pauperis application. Plaintiff may file a new action, but should include a filing fee or an in forma pauperis application with a new complaint to commence that new action. The clerk shall close the file.

IT IS SO ORDERED.

Dated: October 5, 2009


Marilyn Hall Patel
United States District Judge